

# Exhibit B

SUBSEQUENT PAROLE CONSIDERATION HEARING

STATE OF CALIFORNIA

BOARD OF PRISON TERMS

In the matter of the Life )  
Term Parole Consideration )  
Hearing of: )  
BRANDEE TRIPP )  
\_\_\_\_\_ )

CDC Number W-15695

**COPY**  
**INMATE**

CALIFORNIA INSTITUTION FOR WOMEN

CORONA, CALIFORNIA

MAY 17, 2004

1:50 P.M.

**PENDING REVIEW  
AND APPROVAL**

PANEL PRESENT:

KEN RISEN, Presiding Commissioner  
HERBERT MAY, Deputy Commissioner

OTHERS PRESENT:

BRANDEE TRIPP, Inmate  
ADRIAN WOODWARD, Attorney for Inmate

CORRECTIONS TO THE DECISION HAVE BEEN MADE

\_\_\_\_\_ No  
\_\_\_\_\_ Yes

See Review of Hearing  
Transcript Memorandum

Matthew Yates

Capitol Electronic Reporting

ii

INDEX

	<u>Page</u>
Proceedings .....	1
Case Factors .....	10
Pre-Commitment Factors .....	23
Post-Commitment Factors .....	29
Parole Plans .....	38
Closing Statements .....	59
Recess .....	64
Decision .....	65
Adjournment .....	71
Transcriber Certification .....	72

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P R O C E E D I N G S

DEPUTY COMMISSIONER MAY: On record.

PRESIDING COMMISSIONER RISEN: This is a Subsequent Parole Consideration Hearing for BranDee B-R-A-N-D-E-E Tripp, T-R-I-P-P. CDC number is W-15695. Today's date is May the 17<sup>th</sup>, 2004. The time is 1:50 P.M. here at the CIW Boardroom, California Institute [sic] for Women. Prisoner's legal status: She was received 2/18 of '81 from Monterey County. The offense is murder second, case number CR7639. Count number three, 187 of the Penal Code. Term is 15 years to life. Minimum eligible parole date is 5/6 of 1989. This hearing is being tape recorded. For purposes of voice identification, we need to go around the room and identify ourselves. Please state your name. Spell your last name. And in addition to spelling your last name, we need the inmate to give her CDC number. Go to my left. My name is Ken Risen, R-I-S-E-N, Commissioner.

DEPUTY COMMISSIONER MAY: Herbert May, M-A-Y, Deputy Commissioner.

ATTORNEY WOODWARD: Adrian Woodward, W-O-O-D-W-A-R-D, Ms. Tripp's Attorney. Your turn.

INMATE TRIPP: BranDee Tripp, T-R-I-P-P, W-15695.

PRESIDING COMMISSIONER RISEN: Okay. We also

1 have one correctional peace officer in the room.  
2 She will not be participating in the hearing. She  
3 is here for security purposes. Ms. Tripp, your  
4 first name is spelled Bran, B-R-A-N-capital D-E-E,  
5 isn't it?

6 **INMATE TRIPP:** Yes, Sir.

7 **PRESIDING COMMISSIONER RISEN:** Okay. Now,  
8 you filled out a form 1073, which is our Americans  
9 With Disability Act form. This was done on March  
10 15<sup>th</sup>, 2004 and at that time, you indicated you did  
11 not have a disability. Is that correct?

12 **INMATE TRIPP:** Yes, Sir.

13 **PRESIDING COMMISSIONER RISEN:** Okay. What I  
14 need you to do is to read that ADA statement there  
15 in front of you.

16 **INMATE TRIPP:** "The Americans With  
17 Disability Act, ADA, is a law to help  
18 people with disabilities.  
19 Disabilities are problems that make  
20 it harder for some people to see,  
21 hear, breathe, talk, walk, learn,  
22 think, work, or take care of  
23 themselves than it is for others.  
24 Nobody can be kept out of public  
25 places or activities because of a  
26 disability. If you have a  
27 disability, you have the right to ask

1           for help to get ready for your BPT  
2           hearing, get to the hearing, talk,  
3           read forms and papers, and understand  
4           the hearing process. BPT will look  
5           at what you've asked for to make sure  
6           that you have a disability that is  
7           covered by the ADA and that you have  
8           asked for the right kind of help. If  
9           you do not get help, or if you do not  
10          think you got the kind of help you  
11          need, ask for a BPT 1074 Grievance  
12          form. You can also get help to fill  
13          it out."

14           **PRESIDING COMMISSIONER RISEN:** Thank you.  
15          Now, do you have any problems walking up and down  
16          stairs or over a distance of more than 100 yards?

17           **INMATE TRIPP:** No, Sir.

18           **PRESIDING COMMISSIONER RISEN:** Do you need  
19          glasses or a magnifying device to see or read  
20          documents?

21           **INMATE TRIPP:** Well, I'm waiting for  
22          glasses, but it's for distance. It's not for  
23          reading.

24           **PRESIDING COMMISSIONER RISEN:** Okay. Do you  
25          have any hearing impairments?

26           **INMATE TRIPP:** No, Sir.

27           **PRESIDING COMMISSIONER RISEN:** Do you take

1 any medication?

2 INMATE TRIPP: (Inaudible.)

3 PRESIDING COMMISSIONER RISEN: Any  
4 medication that might interfere with your  
5 participation in the hearing?

6 INMATE TRIPP: No, Sir.

7 PRESIDING COMMISSIONER RISEN: Have you ever  
8 been classified as Triple CMS or EOP?

9 INMATE TRIPP: No, Sir.

10 PRESIDING COMMISSIONER RISEN: How far did  
11 you go in school on the street?

12 INMATE TRIPP: I went to the 10<sup>th</sup> or 11<sup>th</sup>  
13 grade. I got kicked out and then I went to  
14 continuation and finished.

15 PRESIDING COMMISSIONER RISEN: Okay. So do  
16 you have a high school equivalency or a GED?

17 INMATE TRIPP: I have both.

18 PRESIDING COMMISSIONER RISEN: Were you ever  
19 placed in special education classes or classes for  
20 slow learners?

21 INMATE TRIPP: No, Sir.

22 PRESIDING COMMISSIONER RISEN: Okay. The  
23 Panel will find that the prisoner has no disability  
24 as defined under the Americans With Disability Act.  
25 Would you agree, Counsel?

26 ATTORNEY WOODWARD: I agree.

27 PRESIDING COMMISSIONER RISEN: Okay. The

1 purpose of today's hearing is to again consider  
2 your suitability for parole. In arriving at a  
3 decision, we will consider the commitment offense,  
4 your prior criminality and social history, as well  
5 as your behavior and overall programming since your  
6 commitment. We have reviewed your files and prior  
7 transcripts. You will have an opportunity to make  
8 corrections and clarifications regarding the  
9 records. We will probably read into the record  
10 Statement of Facts as reflected by the record. We  
11 will then directly go to your progress since your  
12 last hearing, referring to new psychiatric reports,  
13 and any other information that has a bearing on  
14 your parole suitability. Any additional parole  
15 plans should be brought to our attention. The  
16 prisoner's attorney and the prisoner will be given  
17 an opportunity to make a statement regarding parole  
18 suitability and length of confinement. After this  
19 is done, we will recess, clear the room, and  
20 deliberate. Once we've reached our decision, we'll  
21 resume the hearing and announce the decision. The  
22 prisoner is afforded certain rights, timely notice  
23 of this hearing today, availability to review the  
24 Central File, the right to present relevant  
25 documents at this hearing, the right to an  
26 impartial Panel. Is the prisoner's attorney  
27 satisfied these rights are met?



1           **ATTORNEY WOODWARD:**   Yes.

2           **PRESIDING COMMISSIONER RISEN:**   The prisoner  
3   will receive a copy of a tentative written decision  
4   today.   That decision becomes effective upon  
5   approval by the Decision Review Unit at the Board  
6   of Prison Terms.   Later, you will receive a  
7   transcript and a copy of the decision.   It's  
8   automatically sent to you.   As of May 1<sup>st</sup>, 2004,  
9   there was a major change limiting your right to  
10   appeal.   The Board of Prison Terms no longer accept  
11   appeals.   You have to appeal directly to the  
12   courts.   And apparently, that information is  
13   contained in the prison law library and there's  
14   (inaudible) in the Administrative Appeals  
15   correspondence, grievance concerning Board of  
16   Prison Term decisions.   It's administrative  
17   directory AD 4 slash 01.   Okay, today you will not  
18   be required to discuss the commitment offense with  
19   the Panel, and you will not be required to admit  
20   the commitment offense.   However, the Panel accepts  
21   as true the Court findings.   Any confidential  
22   materials?

23           **DEPUTY COMMISSIONER MAY:**   There will be  
24   none, Mr. Chairman, thank you.

25           **PRESIDING COMMISSIONER RISEN:**   Okay.   Any  
26   additional documents for us to review today?

27           **ATTORNEY WOODWARD:**   As requested, have the

1 Chairpersons had an opportunity to read the brief  
2 submitted by my office? Because I was afraid --  
3 it's not in front of you.

4 PRESIDING COMMISSIONER RISEN: Where?  
5 Where? I didn't see it.

6 ATTORNEY WOODWARD: I didn't see it in front  
7 of you and it was submitted.

8 PRESIDING COMMISSIONER RISEN: Nope.

9 ATTORNEY WOODWARD: So I'm a little  
10 concerned.

11 PRESIDING COMMISSIONER RISEN: I was going  
12 to say I have two documents, one letter from the  
13 archdiocese and a letter from someone else. So I  
14 only have those two letters. Are there more than  
15 that?

16 ATTORNEY WOODWARD: Yes. There's additional  
17 documentation from a prospective employer. There's  
18 documentation from a conversion to a controlled  
19 halfway house, (inaudible). I can submit copies to  
20 this Board presently.

21 DEPUTY COMMISSIONER MAY: You want to do  
22 that right now?

23 ATTORNEY WOODWARD: My only concern is that  
24 the brief is --

25 DEPUTY COMMISSIONER MAY: Do you have a copy  
26 of it?

27 ATTORNEY WOODWARD: I do.

1           DEPUTY COMMISSIONER MAY: (Inaudible.) Is  
2   that a copy of your (inaudible)?

3           ATTORNEY WOODWARD: These are the two copies  
4   of an indication from Casanova and your prospective  
5   employer.

6           DEPUTY COMMISSIONER MAY: Okay. Great.  
7   That's really cool.

8           ATTORNEY WOODWARD: Absolutely. I don't  
9   think the Chairman will have an opportunity to read  
10   this. Mind if we take a brief recess for you?

11          PRESIDING COMMISSIONER RISEN: Okay, in a  
12   moment, we'll take a recess and I'll read them.

13          ATTORNEY WOODWARD: Yeah.

14          PRESIDING COMMISSIONER RISEN: I have a  
15   hearing check -- No, why don't we finish this so I  
16   don't forget where we're at.

17          ATTORNEY WOODWARD: Yes, I apologize. These  
18   are also two letters, one from two family members  
19   that are supportive of her release.

20          PRESIDING COMMISSIONER RISEN: Okay, so four  
21   letters and a brief? Okay, I have a checklist of  
22   documents contained in my file. I've marked it  
23   Exhibit One. I'd like you to look at it to ensure  
24   that you have those documents. Also, do you have  
25   this letter from the Arroyo Grande Police  
26   Department?

27          ATTORNEY WOODWARD: No. That was never --

1 We have (inaudible) type concerns. We never  
2 received a notification from (inaudible).

3 PRESIDING COMMISSIONER RISEN: I'm sure it's  
4 basically the same as it said last time. Almost  
5 word for word.

6 ATTORNEY WOODWARD: Okay. Thank you. I  
7 believe I'm aware of the documentation of  
8 (inaudible), I'm sure.

9 PRESIDING COMMISSIONER RISEN: Okay. Any  
10 objections at this time? Are they in the brief?

11 ATTORNEY WOODWARD: The objections are not  
12 in the brief. My only concern is the brief is a  
13 relevant document and as long as the gentleman --  
14 Mr. Risen, you indicate that you're going to --  
15 Excuse me, Risen -- read the brief. It's relevant,  
16 and so that's my only concern.

17 PRESIDING COMMISSIONER RISEN: Okay. I will  
18 read it in just a moment, then. At this point,  
19 we'll go to recess. The time is 2:04 and we'll  
20 call you back in in a few minutes.

21 ATTORNEY WOODWARD: Thank you. I understand  
22 and appreciate.

23 [Off the record.]

24 DEPUTY COMMISSIONER MAY: We're back on  
25 record.

26 PRESIDING COMMISSIONER RISEN: Okay, we'll  
27 resume the hearing. We have read the Counsel's

1 brief and we do have copies of them. The time is  
2 2:20. At this point, is the prisoner going to  
3 address the Panel today?

4 **ATTORNEY WOODWARD:** Yes.

5 **PRESIDING COMMISSIONER RISEN:** Could you  
6 raise your right hand, please? Best you can. Do  
7 you solemnly swear or affirm that the testimony you  
8 give at this hearing will be the truth, the whole  
9 truth, and nothing but the truth?

10 **INMATE TRIPP:** I do.

11 **PRESIDING COMMISSIONER RISEN:** Okay. I'm  
12 going to read the Statement of Facts from the  
13 summary of the crime in the June, 2004 Board  
14 report.

15 "On July 8<sup>th</sup> of 1979, the victim's  
16 mother reported her daughter missing  
17 and indicated William Ruckert,  
18 parenthesis, Brandee Tripp's  
19 stepfather parenthesis, might be  
20 involved in the disappearance of her  
21 daughter. The victim was scheduled  
22 to testify against Mr. Ruckert in a  
23 child molestation case. Subsequent  
24 investigation led Jon Sorenson to  
25 reveal knowledge of a conspiracy to  
26 kidnap the child by Mr. Ruckert and  
27 Mr. Hilton Tripp, T-R-I-P-P,

1           parenthesis, Mrs. Tripp's husband,  
2           close parenthesis. Roger Ladd  
3           indicated Mr. Ruckert offered him  
4           \$1,000 to kidnap the victim's older  
5           sister Betty Ann Murdock. He  
6           observed Hilton Tripp, Randy Cook,  
7           and BranDee Tripp discussing methods  
8           of killing the older sister. Mr.  
9           Ladd also observed further  
10          discussions of methods of kidnapping  
11          and killing Tamron Carpenter by  
12          Hilton and BranDee Tripp. On July  
13          9<sup>th</sup>, 1979, Hilton Tripp implicated  
14          Randy Cook as the person who killed  
15          the victim and acknowledged he  
16          assisted in burying the child. He  
17          stated his wife BranDee was in  
18          agreement with the kidnapping and  
19          arranged for the child to leave the  
20          home in order to facilitate the  
21          event. The body of the victim was  
22          found buried near Avila Beach, A-V-I-  
23          L-A. Ms. Tripp was arrested on July  
24          10<sup>th</sup>, 1979."

25        Okay. Would you like to make any corrections or  
26        clarifications regarding this crime?

27                **INMATE TRIPP:** Well, some of the things in



1 there I really don't remember happening. I mean, I  
2 didn't know that Roger Ladd was approached. I was  
3 always been under the impression that we brought  
4 him into the mess. Because I was staying at his  
5 trailer and my ex-husband, now, found me when we  
6 were discussing everything which involved Roger,  
7 but I don't remember him being directly involved as  
8 far as that version. I always thought we  
9 implemented him just by -- I mean, just by being in  
10 his area.

11 **PRESIDING COMMISSIONER RISEN:** Okay, were  
12 you -- Okay, let me ask you this. Now, were you  
13 ever present when there was a conversation between  
14 Ruckert, yourself, and someone else to kidnap the  
15 older sister and kill her?

16 **INMATE TRIPP:** Well, it was a while ago. It  
17 was a few Board hearings ago. And at the time,  
18 they didn't really care to know and -- What  
19 happened at the time is me and Randy went with  
20 Hilton to talk to my stepfather. But me and Randy  
21 had to sit in the car, and that would be Cook.  
22 That would be Mr. Cook. And we watched Hilton talk  
23 to my stepfather on the front of our grass where my  
24 mom's house is. That was when he was staying -- He  
25 was being allowed to go there to get his clothes at  
26 the time. And we watched the conversation, but we  
27 never really heard the conversation. But when it

1 came to testifying to them, I perjured myself and  
2 said I heard everything. And I just repeated what  
3 my husband told me because I didn't think that my  
4 stepfather should be the only one not going  
5 anywhere.

6 PRESIDING COMMISSIONER RISEN: Okay.

7 ATTORNEY WOODWARD: I think -- necessary to  
8 clarify that for me is that -- I think what Ms.  
9 Tripp is indicating at the trial for Mr. Ruckert,  
10 she was primary state's witness against him. Had  
11 she not testified, it's quite probable he would  
12 have been exculpated, I think. Because they  
13 couldn't find -- So she perjured herself to convict  
14 Mr. Ruckert and become the star witness against Mr.  
15 Ruckert in the subsequent (inaudible) convicted of  
16 first degree.

17 PRESIDING COMMISSIONER RISEN: Okay. Does  
18 that mean that her husband Hilton never testified  
19 against Ruckert?

20 INMATE TRIPP: Not to my knowledge. I was  
21 the last one that they ever seen.

22 PRESIDING COMMISSIONER RISEN: Okay.

23 INMATE TRIPP: Out of the -- There was four  
24 of us. I was the last. That would have went to  
25 trial if I hadn't pled guilty.

26 PRESIDING COMMISSIONER RISEN: Okay, now the  
27 first one they were going to kidnap was -- and



1 according to someone, murder -- would be the older  
2 sister. What was her name?

3 INMATE TRIPP: Betty Ann Maddox.

4 PRESIDING COMMISSIONER RISEN: Okay. What  
5 ever happened to her?

6 INMATE TRIPP: Okay. He came with this  
7 wonderful idea. I wasn't real thrilled. And in my  
8 mind at the time, I didn't really think I was  
9 participating in murder. And they did discuss  
10 murder and they were smoking a joint and they were  
11 talking, just like, bizarre, and I told them, I'm  
12 not helping you with any murder. I'll get her out  
13 of the house. If you want to do what you're going  
14 to do, you can do it.

15 PRESIDING COMMISSIONER RISEN: Okay.

16 INMATE TRIPP: But I'll get her out of the  
17 house. But when I went to get her out of the  
18 house, they stayed in the bushes and nobody did  
19 anything. So she went back to her home, so nothing  
20 ever happened to her.

21 PRESIDING COMMISSIONER RISEN: So we're  
22 talking about the older sister?

23 INMATE TRIPP: That's the older sister.

24 PRESIDING COMMISSIONER RISEN: Okay. Now,  
25 how were you involved in the younger sister's  
26 kidnapping?

27 INMATE TRIPP: In the beginning, I was

1 actually running interference with her. Because  
2 they were talking and they wanted to kill her. I  
3 didn't want to kill her. I didn't want to help  
4 kill her. I didn't think she needed to be dead,  
5 and I didn't want to do it. And so, we'd set up  
6 little plans and they'd kind of just casually fall  
7 through. And it wouldn't work, and I'd take Tammy  
8 home and we'd go places, and I'd take Tammy home.  
9 Well, the day that this happened, before it  
10 happened, my husband promised me that no one would  
11 get hurt. He promised me that he would go pick  
12 Tammy up if I sent her down to the store. I could  
13 go to Randy's house and watch her, and they would  
14 go convince my stepfather that they kidnapped her  
15 and she wouldn't be testifying to get the money.  
16 And then we were going to let her go.

17 **PRESIDING COMMISSIONER RISEN:** And you were  
18 supposed to be at Randy Cook's house?

19 **INMATE TRIPP:** Yeah.

20 **PRESIDING COMMISSIONER RISEN:** The trailer.

21 **INMATE TRIPP:** So after she came up -- No, I  
22 was supposed to be -- He lived with his girlfriend  
23 in a house in Arroyo Grande. So I went after her  
24 mom called, I went to Randy's house and I waited  
25 and I waited and I waited. And in my head, I knew  
26 something wasn't going right, but I was afraid to  
27 leave, because I was afraid if I wasn't where I was

1 supposed to be and something happened to her, then  
2 it was my fault. And that's how I thought when I  
3 was --

4 PRESIDING COMMISSIONER RISEN: Okay. Now  
5 how did Tamron Carpenter, the victim, know you?

6 INMATE TRIPP: He --

7 PRESIDING COMMISSIONER RISEN: She.

8 INMATE TRIPP: They were a friend of my  
9 stepdad's for years and I met them through my  
10 stepfather for years.

11 PRESIDING COMMISSIONER RISEN: Did you watch  
12 them? Were you like a caretaker?

13 INMATE TRIPP: Well, no. We never  
14 babysitted, but her older sister, Betty Ann, was my  
15 best friend.

16 PRESIDING COMMISSIONER RISEN: The one --

17 INMATE TRIPP: The older one.

18 PRESIDING COMMISSIONER RISEN: The older  
19 one.

20 INMATE TRIPP: Maddox.

21 PRESIDING COMMISSIONER RISEN: Okay. But  
22 Tamron knew you well.

23 INMATE TRIPP: Yeah.

24 PRESIDING COMMISSIONER RISEN: So if you  
25 went to Randy Cook's house and held her there, how  
26 -- Once you ultimately got away, how would you not  
27 be identified?

1           **INMATE TRIPP:** Well, in my head, I was not  
2 going to let her know that she was being kidnapped.  
3 I had planned in my head that I would just tell  
4 her, your mom knows we're here. And we're just  
5 going to hang out for a while, and then we'll go to  
6 the beach and then we'll go back to your mom's.  
7 Because she thought we were going somewhere. She  
8 never knew. When she was with me and I would take  
9 her places and they would want to kidnap her and I  
10 wouldn't let them do it then. And I'd tell them,  
11 no, no. This isn't going to work. And I'd talk  
12 them out of it because I was there. We were going  
13 places. Like, we'd go to the park. We'd go  
14 swimming. So I was always there with her. And  
15 they promised me that they would drop her off and I  
16 would just watch her and so I had it planned. And  
17 I had my moped and I had it planned that we'd go to  
18 the park and she would never know. In my head. I  
19 didn't think that anything could go wrong, and I  
20 didn't think far enough to know that her life would  
21 be taken.

22           **PRESIDING COMMISSIONER RISEN:** Didn't you  
23 feel that Ruckert would have to ensure in some way  
24 that she'd been taken care of? Not just by you  
25 telling him.

26           **INMATE TRIPP:** I never thought that far.  
27 And after years of growing up and thinking of how

1 he was, I would think that now. I know what kind  
2 of person he is today. But back then, I didn't  
3 think that. I figured --

4 **PRESIDING COMMISSIONER RISEN:** How old were  
5 you then?

6 **INMATE TRIPP:** I had just turned 20.

7 **PRESIDING COMMISSIONER RISEN:** And where  
8 were you living?

9 **INMATE TRIPP:** Well, at the time, we were  
10 living in a tent.

11 **ATTORNEY WOODWARD:** Sorry, but did I hear  
12 the tape recorder go off or am I imagining things?

13 **DEPUTY COMMISSIONER MAY:** It's on.

14 **ATTORNEY WOODWARD:** I apologize. I'm sorry.

15 **PRESIDING COMMISSIONER RISEN:** Where you  
16 living at the time?

17 **INMATE TRIPP:** We were living in a tent  
18 underneath an overpass by Avila.

19 **PRESIDING COMMISSIONER RISEN:** And this was  
20 in 1979.

21 **INMATE TRIPP:** Yes, Sir.

22 **PRESIDING COMMISSIONER RISEN:** Well, how do  
23 you feel about your involvement now in the case?

24 **INMATE TRIPP:** I believe that if I hadn't  
25 gotten involved at all -- I mean, I should have  
26 just called when they were talking about it and  
27 preventing it altogether.

1           **PRESIDING COMMISSIONER RISEN:**   Probably.

2           **INMATE TRIPP:**   I would have called the  
3   police.   I did try to call the police once or  
4   twice, but I got scared.   When they picked up the  
5   phone, I hung up.   And I called from a payphone.  
6   And now that I'm older, I know that I knew at the  
7   time something wasn't right.   Or I wouldn't be  
8   trying to call the police.

9           **PRESIDING COMMISSIONER RISEN:**   Okay.   What  
10   you're saying, then, is on July 8<sup>th</sup>, '79, when they  
11   didn't bring the girl to you, you knew something  
12   was wrong.   And so you tried to call the police?

13          **INMATE TRIPP:**   I tried twice and I got  
14   scared and I hung up the phone as soon as he  
15   answered.   I was at a payphone in old Arroyo Grande  
16   by this bridge.   And I hung up the phone.   I never  
17   talked to anyone because I got scared.   In my head,  
18   I was thinking, well, if I'm not there and they  
19   show up, what happens if they take things into  
20   their own hands?

21          **PRESIDING COMMISSIONER RISEN:**   Okay, now,  
22   she knew both Hilton and Randy Cook?   Hilton Tripp?

23          **INMATE TRIPP:**   I'm not sure if she really  
24   knew Randy really well, but she knew Hilton because  
25   he was with me most of the time.

26          **PRESIDING COMMISSIONER RISEN:**   Okay.   And  
27   you sent her to the store near Avila Beach?



1           **INMATE TRIPP:** No. I sent her down -- The  
2 store was, like, right down from her house. But  
3 they were parked down there waiting.

4           **PRESIDING COMMISSIONER RISEN:** Did you  
5 ever --

6           **INMATE TRIPP:** They (inaudible) up on a hill  
7 and the store was right --

8           **PRESIDING COMMISSIONER RISEN:** Okay. You  
9 were arrested two days later. Did you ever talk to  
10 Hilton and Randy?

11           **INMATE TRIPP:** No. No. What actually  
12 happened is they picked me up for questioning. I  
13 denied the whole thing. I acted like I didn't know  
14 anything. And they held me. And at the time, I  
15 guess it was 23 hours. They can hold you 23 hours  
16 and they have to let you go if they're not going to  
17 arrest you. And during that time, Hilton had came  
18 into the police department looking for me. And  
19 they ended up picking him up because he had a  
20 juvenile warrant for him for a prior conviction.  
21 And they let me go and then I think I got arrested  
22 the next day. I think it was the next day early  
23 morning. I mean, I went through a whole day and  
24 then they woke me up out of a dead sleep, so it  
25 was, like, two days later, the following morning.  
26 But it was, like, within a 24 hour period  
27 (inaudible).

1           **PRESIDING COMMISSIONER RISEN:** Well, if  
2 she's walking somewhere and these two guys pull up  
3 and attempt to pick her up, she's probably not  
4 going to get in the car.

5           **INMATE TRIPP:** No, she was in the store and  
6 she knew them. There's a grocery store down there  
7 and I sent them down to the store to buy some  
8 items. And they asked her if -- I guess they asked  
9 her if she wanted a ride. I never really talked to  
10 them after it happened because I couldn't believe  
11 that they did it. I couldn't believe that they  
12 killed someone.

13           **PRESIDING COMMISSIONER RISEN:** Did Hilton or  
14 Cook ever tell you that she was strangled to death?

15           **INMATE TRIPP:** When they came back, they  
16 finally showed up at Randy's house and I asked them  
17 where they had been. And they told me and I told  
18 them, I don't want to hear it. And when they told  
19 me where it was, I never went back to the area  
20 because I knew that she was there. And I just  
21 couldn't do it. But before I told him that I  
22 didn't want to hear anymore -- He had made the  
23 statement that me and Randy pulled the rope at the  
24 same time, so neither one of us knows who killed  
25 her. And I told him, I don't want to hear  
26 anything. Don't tell me anything. I can't believe  
27 that you did it. And then I wouldn't go back to



1 the area.

2 PRESIDING COMMISSIONER RISEN: Well, how  
3 would you handle a situation like that today?

4 INMATE TRIPP: If I heard anyone  
5 conspiracizing about any kind of awful thing, I  
6 would call the police within a minute. I would  
7 have no problem turning anyone in today. Because  
8 when I was young, you think, no, they're really not  
9 going to do it. You know, people always talk and  
10 it's like, they really don't mean it. I wouldn't  
11 take that chance. Because what if they do mean it.  
12 You know. Tammy's gone, and it is my fault.  
13 Because she would have never went down to the  
14 store. You know, and they may have not have done  
15 anything if I hadn't helped, but I wouldn't have  
16 helped if they hadn't promised me that she wouldn't  
17 have got hurt. The reason it took so long --

18 PRESIDING COMMISSIONER RISEN: Then your  
19 motivation was you wanted the \$1,000?

20 INMATE TRIPP: Well, I wanted to burn my  
21 stepfather. I wanted to pay him back for  
22 everything that I went through with him.

23 PRESIDING COMMISSIONER RISEN: And how did  
24 you plan to do that?

25 INMATE TRIPP: When he gave us the money, we  
26 were going to turn Tammy loose and let her testify.  
27 We weren't going to keep her. We were going to let

1 her do what she needed to do. Because we knew he  
2 wouldn't -- The one thing we did know is he would  
3 never turn us in. Because what would he say. You  
4 know, he couldn't turn us in. And I don't remember  
5 who put that knowledge in our head, but we knew  
6 that for a fact that he wouldn't turn us in. So if  
7 he gave us the money, there was nothing he could do  
8 if Tammy showed up to testify.

9 **PRESIDING COMMISSIONER RISEN:** Okay, but it  
10 was \$1,000.

11 **INMATE TRIPP:** Well, they said 1,000. I was  
12 told 10,000, so I'm not really sure because I never  
13 really heard -- The only thing I heard was what  
14 Hilton ever told us.

15 **PRESIDING COMMISSIONER RISEN:** Okay, now  
16 let's go over your pre-conviction factors. Says  
17 you have no juvenile record.

18 **INMATE TRIPP:** No, I don't have (inaudible).

19 **PRESIDING COMMISSIONER RISEN:** Okay. Now,  
20 in the Governor's letter, he said that in the '85,  
21 '91, and '93 psych evaluation, you talked about  
22 shoplifting as a juvenile. Did you do that?

23 **INMATE TRIPP:** I was a delinquent at times,  
24 but I never got arrested for it.

25 **PRESIDING COMMISSIONER RISEN:** Okay. Then  
26 you stole cars.

27 **INMATE TRIPP:** I stole two cars to run away

1 with.

2 PRESIDING COMMISSIONER RISEN: Okay. And  
3 then you stole money from your parents?

4 INMATE TRIPP: I did steal money from my  
5 mom.

6 PRESIDING COMMISSIONER RISEN: Back to the  
7 commitment offense. Was there any drugs or alcohol  
8 on your part? Were you using drugs or under the  
9 influence of alcohol?

10 INMATE TRIPP: When we were talking about  
11 Betty Ann, we were smoking weed. We were pretty  
12 loaded.

13 PRESIDING COMMISSIONER RISEN: Okay, but on  
14 the --

15 INMATE TRIPP: But I don't remember doing  
16 drugs or alcohol at the time when Tammy -- I really  
17 tried to talk them out of it and why I didn't call  
18 the cops -- At that age, that young. I think it's  
19 because I thought I was in love with him, and I  
20 realized that wasn't love when I grew up. I'm not  
21 real sure why. I think my judgment was very  
22 impaired because of everything. I think I hated my  
23 stepfather so much, honestly, that it just blinded  
24 me of what was really right and wrong.

25 PRESIDING COMMISSIONER RISEN: Okay. But  
26 drugs or alcohol didn't cloud your decision-making  
27 abilities on this particular day when you sent the

1 victim down to the market?

2 INMATE TRIPP: I don't think so. I don't  
3 remember being high or drinking that day.

4 PRESIDING COMMISSIONER RISEN: And you had  
5 no adult convictions (inaudible).

6 INMATE TRIPP: No.

7 PRESIDING COMMISSIONER RISEN: Okay. Says  
8 you're divorced. Were you divorced at the time of  
9 the commitment offense?

10 INMATE TRIPP: No. I was still married and  
11 my attorney advised me not to get a divorce until  
12 after everything was over. So when I arrived at  
13 CIW within the year, I was divorced.

14 PRESIDING COMMISSIONER RISEN: Okay. You  
15 were born where? In California?

16 INMATE TRIPP: Yes. San Luis Obispo.

17 PRESIDING COMMISSIONER RISEN: You have one  
18 half-sister and one half-brother. Your parents  
19 separated when you were two years old.

20 INMATE TRIPP: Yes.

21 PRESIDING COMMISSIONER RISEN: Your mother  
22 married William Ruckert. That's the guy who was  
23 charged with the molestation.

24 INMATE TRIPP: Yeah.

25 PRESIDING COMMISSIONER RISEN: You were  
26 especially close to your maternal grandmother, who  
27 is now deceased.

1 INMATE TRIPP: Yes.

2 PRESIDING COMMISSIONER RISEN: Your mother  
3 was a secretary and Ruckert was an electrician?

4 INMATE TRIPP: Yes.

5 PRESIDING COMMISSIONER RISEN: Says you were  
6 close to your stepfather despite the fact he once  
7 attempted to molest you once you were seven years  
8 of age.

9 INMATE TRIPP: That part I disagree because  
10 it wasn't a once thing. It was from seven all my  
11 life until I decided I wasn't sleeping with him.  
12 It was a molest thing when I was younger and as I  
13 matured, it became a money exchange thing. For me.

14 PRESIDING COMMISSIONER RISEN: You received  
15 average grades in school. Not a behavioral problem  
16 until you met Hilton Tripp. That was your husband,  
17 the guy you married.

18 INMATE TRIPP: Yes, Sir.

19 PRESIDING COMMISSIONER RISEN: And that  
20 would be in the 10<sup>th</sup> grade?

21 INMATE TRIPP: Yeah, it was the 10<sup>th</sup> grade.

22 PRESIDING COMMISSIONER RISEN: What kind of  
23 an influence did he have on you?

24 INMATE TRIPP: He was the one who was saving  
25 me from my stepdad. That's why I ran away so much.

26 PRESIDING COMMISSIONER RISEN: Okay.

27 INMATE TRIPP: Because he was going to

1 protect me and save me.

2 PRESIDING COMMISSIONER RISEN: And it says  
3 you graduated from a continuation high school.

4 INMATE TRIPP: Yes, Sir.

5 PRESIDING COMMISSIONER RISEN: Now, you  
6 didn't want to marry Tripp?

7 INMATE TRIPP: When I was pregnant, I didn't  
8 want to get -- Getting married wasn't something I  
9 really wanted.

10 PRESIDING COMMISSIONER RISEN: Okay, but  
11 your parents --

12 INMATE TRIPP: My stepdad did and one of my  
13 grandmothers. They said it would be wise because I  
14 was pregnant and I should do the right thing and  
15 not have the baby out of --

16 PRESIDING COMMISSIONER RISEN: And Tripp was  
17 the father.

18 INMATE TRIPP: Tripp was the father.

19 PRESIDING COMMISSIONER RISEN: Okay, then  
20 your mother adopted the child.

21 INMATE TRIPP: Yes, Sir.

22 PRESIDING COMMISSIONER RISEN: And how old  
23 is she now?

24 INMATE TRIPP: She's going to be 25 in June.

25 PRESIDING COMMISSIONER RISEN: Any type of  
26 work prior to coming to prison?

27 INMATE TRIPP: I had pieces of jobs.

1           PRESIDING COMMISSIONER RISEN: How long was  
2 the longest time you worked?

3           INMATE TRIPP: Probably, like, three months.  
4 I was in Texas when I got certified to become a  
5 nurse's aide.

6           PRESIDING COMMISSIONER RISEN: Okay, how  
7 long before the commitment offense were you in  
8 Texas?

9           INMATE TRIPP: I went to Texas the summer of  
10 '77. Because I had just graduated. That's when I  
11 first met my (inaudible). And I had to get a job  
12 to come back to California.

13          PRESIDING COMMISSIONER RISEN: And you  
14 worked about three months doing what?

15          INMATE TRIPP: I was working in a nursing  
16 home. Trying to become a nurse. It was a class  
17 where you worked. You could become a nurse's aide  
18 as you were working and you took the schooling and  
19 the training at the same time.

20          PRESIDING COMMISSIONER RISEN: Okay, now,  
21 did you have a problem with drugs at all on the  
22 street?

23          INMATE TRIPP: I consider me an addict, an  
24 alcoholic, only because of the way I consumed  
25 alcohol and drugs. When I did them, I consumed a  
26 lot of them. I didn't just --

27          PRESIDING COMMISSIONER RISEN: Okay. What



1 age did you start using drugs?

2 INMATE TRIPP: I started smoking weed in the  
3 ninth grade.

4 PRESIDING COMMISSIONER RISEN: And it just  
5 went on from there?

6 INMATE TRIPP: Yeah. Most of my stuff was I  
7 smoked marijuana and I drank hard liquor. Once in  
8 a while, I would do acid. Once in a while, I'd do  
9 speed. Once in a while, but --

10 PRESIDING COMMISSIONER RISEN: Okay. And at  
11 this point, we'll go to the next part of the  
12 hearing, post-conviction factors.

13 DEPUTY COMMISSIONER MAY: Thank you, Mr.  
14 Chairman. At the last hearing -- That was November  
15 the 6<sup>th</sup>, 2002. Inmate was granted, but the  
16 Governor, on April 4<sup>th</sup>, 2003, reversed the grant  
17 and with the following decision:

18 "According to the Probation Officer's  
19 report, Tamron Carpenter and her  
20 older sister were schedule to testify  
21 in a criminal proceeding that William  
22 Ruckert had sexually abused them.  
23 Mr. Ruckert offered \$10,000 to his  
24 stepdaughter BranDee Tripp, her  
25 husband Hilton, and her husband's  
26 friend to kill the girls before they  
27 could testify. The originally agreed



1 to kidnap and murder Tamron's older  
2 sister. When that plan failed, they  
3 plotted to kidnap the 10 year old  
4 Tamron. Ms. Tripp, age 20, was a  
5 family friend of the young victim.  
6 In fact, Mrs. Tripp was the only  
7 person Tamron's mother trusted to  
8 take Tamron places. Ms. Tripp  
9 arranged to take Tamron swimming on  
10 July the 8<sup>th</sup>, 1979. According to the  
11 plans Tripp sent Tamron to the store  
12 alone. Mr. Tripp and his friend met  
13 Tamron there, offering to give her a  
14 ride back. This provided them the  
15 opportunity to kidnap Tamron, taking  
16 her to the beach, where Mrs. Tripp  
17 and her husband lived. Ms. Tripp's  
18 husband and his friend tied Tamron  
19 up, dug a shallow grave, and then  
20 strangled and buried her. Ms. Tripp  
21 pled to second degree murder on the  
22 condition that she testify against  
23 her stepfather, William Ruckert. She  
24 was sentenced to 15 years to live.  
25 While incarcerated, Mrs. Tripp has  
26 participated in many self-help and  
27 therapy programs, including Alcohol

1 and Narcotic Anonymous, 12 Step  
2 program, various psychotherapy  
3 groups, anger management programs,  
4 and Victim Awareness Programs. She  
5 has also been involved with a variety  
6 of organizations and activities. She  
7 has completed her GED and taken some  
8 additional classes. All this is  
9 commendable. The crime she  
10 facilitated, however, was  
11 particularly heinous, the planned  
12 killing of an innocent child to  
13 prevent her from testifying against a  
14 serial child abuser. It was clear  
15 that Tamron's mother was concerned  
16 about her child's safety. Mrs. Tripp  
17 was the only person she trusted to  
18 take care of Tamron. Mrs. Tripp  
19 abused the trust of not only Tamron's  
20 mother, but also Tamron herself.  
21 Mrs. Tripp arranged to send Tamron to  
22 the store by herself for the very  
23 purpose of facilitating the  
24 kidnapping and subsequent murder.  
25 Mrs. Tripp claims that she only  
26 agreed to arrange for the kidnapping  
27 on the condition that no one was to

1 be hurt. This is simply not credible  
2 and is inconsistent with the facts.  
3 Mrs. Tripp claimed she has accepted  
4 responsibility for the crime and  
5 realizes that her cooperation made  
6 the victim more accessible to being  
7 kidnapped and murdered. I am not  
8 convinced, however, that Ms. Tripp is  
9 not trying to minimize her  
10 culpability. She says that the plan  
11 had been to kidnap Tamron, collect  
12 the money, and doublecross her  
13 stepfather. But she had to realize  
14 that Mr. Ruckert would not agree to  
15 pay anything while Tamron's sister  
16 could still testify against him.  
17 Furthermore, it is not credible that  
18 she did not know that Tamron would be  
19 killed. Indeed, in her 1999  
20 psychiatric evaluation, Mrs. Tripp  
21 admits that she and her husband  
22 discussed killing both Tamron and her  
23 sister. Moreover, Mrs. Tripp and her  
24 husband lived in a tent. Mrs. Tripp  
25 had to know that they could not keep  
26 Tamron hidden there very long. The  
27 planned kidnap and murder of a 10

1 year old child is atrocious in and of  
2 itself, but Mrs. Tripp's motive is  
3 especially heinous. She aided in the  
4 murder of profit to prevent the  
5 victim from testifying and to allow a  
6 serial child abuser to continue  
7 abusing other innocent children.  
8 These factors are far beyond the  
9 minimum required to support a  
10 conviction of second degree murder.  
11 The Arroyo Grande Police Department  
12 recommended against parole due to  
13 Mrs. Tripp's active participation in  
14 this heinous crime. I agree. The  
15 calculated murder for hire,  
16 demonstrating especially callous  
17 disregard for human suffering,  
18 indicates that Mrs. Tripp is not  
19 suitable for parole at this time.  
20 Additionally, I note that one factor  
21 the Board relied upon in granting  
22 parole was that Mrs. Tripp had no  
23 juvenile record. I question,  
24 however, Mrs. Tripp's truthfulness  
25 regarding her discussion of her  
26 juvenile history. During the  
27 psychological evaluation in 1985,

1 1991, and 1993, she admitted to  
2 having had behavior problems,  
3 shoplifting, stealing cars, and  
4 stealing from her parents. Yet at  
5 the 2002 hearing, she indicates that  
6 she had no prior criminal activities  
7 before the murder. Mrs. Tripp has  
8 demonstrated a very unstable  
9 lifestyle. She was expelled from  
10 school in the 10<sup>th</sup> grade. She is an  
11 alcoholic and (inaudible) from  
12 cocaine beginning as a teenager.  
13 Prior to the murder, she was living  
14 in a tent and stealing for food. In  
15 prison, she accumulated 21  
16 disciplinary reports, the most recent  
17 in 1999. Over the years, psychiatric  
18 evaluations have diagnosed her as  
19 polysubstance dependent, having an  
20 anti-social personality disorder, and  
21 a quick and violent temper. Ms.  
22 Tripp's role in this murder for hire  
23 showed an exceptional callousness and  
24 indifference to human life. In view  
25 of her unstable history and  
26 lifestyle, Mrs. Tripp must  
27 demonstrate over a prolonged period

1           that the gains she has begun to make  
2           in a controlled institutional setting  
3           can be maintained upon release. I am  
4           also concerned that Mrs. Tripp lacks  
5           realistic parole plans. She has a  
6           sparse employment history before  
7           incarceration and does not appear to  
8           have any credible employment  
9           prospects if paroled. Instead, she  
10          intends to rely on a trust fund and  
11          live with her mother. In this  
12          unstructured environment, Mrs. Tripp  
13          may lose the gains she has made in  
14          prison. Based upon each of the  
15          negative factors discussed above, I  
16          believe Mrs. Tripp still poses an  
17          unreasonable risk of danger to  
18          society if paroled at this time.  
19          Accordingly, I reverse the Board of  
20          Prison Terms' decision to parole Mrs.  
21          Tripp."

22       Since her last hearing, she has remained  
23       disciplinary free. She has accumulated a total of  
24       14 128s, the last being May the 27<sup>th</sup>, 1999 for  
25       excessive property. A total of 11 115s, the last  
26       being March the 31<sup>st</sup>, 1988, Division F. And since  
27       the last hearing, she has continued to participate